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NOTICE OF ALLOWANCE AND FEE(S) DUE

20350

7590

12/02/2004

TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834

EXAMINER CREPEAU, JONATHAN

ART UNIT

PAPER NUMBER

1746

DATE MAILED: 12/02/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,530	09/21/2001	Martin Keller	015258-053900US	8279

TITLE OF INVENTION: METHOD FOR OPERATING A FUEL CELL BATTERY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1370	\$300	\$1670	03/02/2005

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. <u>PROSECUTION ON THE MERITS IS CLOSED</u>. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B -Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

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or <u>Fax</u> (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where

APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 699-60,530 69921/2001 Martin Keller 015258-053900US 8279 TITLE OF INVENTION: METHOD FOR OPERATING A FUEL CELL BATTERY APPLY TYPE SMALL ENTITY ISSUE FIE PUBLICATION FIE TOTAL FEE(S) DUE DATE DUE nonprovisional NO S1370 \$300 \$1670 03/02/2005 EXAMINER ART UNIT CLASS-SUBCLASS CREPEAU, JONATHAN 1746 429-013000 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.36). Change of correspondence address or indication of "Fee Address" (37 CFR 1.36). Change of correspondence address or indication form PTO/SB1/27) accepted address for Change of Correspondence Address form PTO/SB1/27 and State of Correspondence Address form PTO/SB1/27 and STATE of Correspondence Address form Change of Correspondence Address form of the State of Correspondence Address form Created and State of Correspondence Address form Created Address form State of State of Correspondence Address form State of State of Correspondence Address form Created Address form Created Address form Created Address form Created Address form State of Correspondence Address form Created Address form State of Correspondence Address form Created Address form Created Address form State of State of Correspondence Address form Created Address form State of State of Correspondence Address form State of Correspondence Address form State of S	mannenance ice nonneauo	115.		specifying a n		will be mailed to the currents; and/or (b) indicating a sep	
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TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834 Lhereby certify that this Fee(s) Transmittal is being deposited with an enter addressed to the Mail Stoy (ISSUE FEE address and in an enter addressed) of the Mail Stoy (ISSUE FEE address and in an enter addressed) of the Mail Stoy (ISSUE FEE address and in an enter addressed) of the Mail Stoy (ISSUE FEE address and one to the USYTO (ISSY) 746-0000, on the state indicated Science. APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFERMATION NO. 09960-530 09:21/2001 Martin Keller 015258-053900US 8279 TITLE OF INVENTION: METHOD FOR OPERATING A FUEL CELL BATTERY APPLN TYPE SMALL ENTITY ISSUE FEE PUBLICATION FEE TOTAL FEE(S) DUE DATE DUE nonprovisional NO \$1370 \$300 \$1670 03/02/2005 EXAMINER ART UNIT CLASS-SUBCLASS CREPEAU, UNNATHAN 1766 429-015000 [Change of correspondence address or indication of "Fee Address" (37 CFR L63). [Change of correspondence address or indication of "Fee Address" (37 CFR L63). [Change of correspondence address or indication form PTO'SM47; Rev 01-02 or mole recent) address from PTO'SM			ND CREW LI	P			
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□ Issue Fee □ Publication Fee (No small entity discount permitted) □ Advance Order - # of Copies □ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, Deposit Account Number (enclose an extra copy of this form). 5. Change in Entity Status (from status indicated above) □ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. □ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2). The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party interest as shown by the records of the United States Patent and Trademark Office. Typed or printed name □ Date □ Registration No. □	Please check the appropriate	assignee category or catego	ries (will not be print	nted on the pater	nt): 🗖 Individual 📮 Co	,	oup entity Government
Publication Fee (No small entity discount permitted) Advance Order - # of Copies Deposit Account Number The Director is hereby authorized by charge the required fee(s), or credit any overpayment, cenclose an extra copy of this form). Change in Entity Status (from status indicated above) a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party interest as shown by the records of the United States Patent and Trademark Office. Typed or printed name Registration No. Registration No.		enclosed:		•	` '	-14	
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The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party interest as shown by the records of the United States Patent and Trademark Office. Authorized Signature	a. Applicant claims SM	MALL ENTITY status. See	37 CFR 1.27.	b. Applicant	is no longer claiming SMA	LL ENTITY status, See 37 Cl	FR 1,27(g)(2).
Typed or printed name Registration No	The Director of the USPTO i NOTE: The Issue Fee and Pu interest as shown by the reco	s requested to apply the Issu ablication Fee (if required) w rds of the United States Pate	ne Fee and Publication vill not be accepted from the and Trademark O	on Fee (if any) of from anyone oth Office.	or to re-apply any previousl ner than the applicant; a regi	y paid issue fee to the applica stered attorney or agent; or th	tion identified above. te assignee or other party in
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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to proce an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, a submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450.	This collection of information an application. Confidentialit submitting the completed applications form and/or suggestions Box 1450, Alexandria, Virginia 22313-1	n is required by 37 CFR 1.31 by is governed by 35 U.S.C. plication form to the USPTC for reducing this burden, sh nia 22313-1450. DO NOT \$ 450.	11. The information i 122 and 37 CFR 1.1 O. Time will vary de ould be sent to the C SEND FEES OR CO	is required to o 14. This collect epending upon Chief Informatio DMPLETED FO	btain or retain a benefit by the control of the con	he public which is to file (and ninutes to complete, includin mments on the amount of tir Trademark Office, U.S. Depa S. SEND TO: Commissioner of	by the USPTO to process) g gathering, preparing, and ne you require to complete urtment of Commerce, P.O. for Patents, P.O. Box 1450,
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TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER			CREPEAU, JONATHAN		
EIGHTH FLOOI	R	ART UNIT	PAPER NUMBER		
SAN FRANCISO	CO, CA 94111-3834		1746		
			DATE MAILED: 12/02/2004	4	

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 422 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 422 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.